

Lucas	Paul	Skelton
Luther	Paxon	Smith (MI)
Maloney (CT)	Payne	Smith (NJ)
Maloney (NY)	Pease	Smith (OR)
Manton	Pelosi	Smith (TX)
Manzullo	Peterson (MN)	Smith, Adam
Markey	Peterson (PA)	Smith, Linda
Mascara	Petri	Snowbarger
Matsui	Pickering	Snyder
McCarthy (MO)	Pickett	Solomon
McCarthy (NY)	Pitts	Souder
McCollum	Pomeroy	Spence
McCrery	Porter	Spratt
McGovern	Portman	Stabenow
McHale	Poshard	Stokes
McHugh	Price (NC)	Strickland
McInnis	Pryce (OH)	Stump
McIntosh	Rahall	Stupak
McIntyre	Ramstad	Sununu
McKeon	Rangel	Tanner
McKinney	Redmond	Tauscher
Meehan	Regula	Tauzin
Meek (FL)	Riley	Taylor (MS)
Menendez	Rivers	Taylor (NC)
Metcalf	Rodriguez	Thomas
Mica	Roemer	Thompson
Millender-McDonald	Rogan	Thornberry
Miller (CA)	Rogers	Thune
Miller (FL)	Rohrabacher	Thurman
Minge	Ros-Lehtinen	Tiahrt
Mink	Roukema	Tierney
Moakley	Roybal-Allard	Towns
Mollohan	Royce	Turner
Moran (KS)	Rush	Upton
Moran (VA)	Ryun	Velazquez
Morella	Salmon	Vento
Murtha	Sanchez	Visclosky
Nadler	Sanders	Walsh
Neal	Sandlin	Wamp
Nethercutt	Sanford	Waters
Neumann	Sawyer	Watkins
Ney	Saxton	Watt (NC)
Northup	Scarborough	Watts (OK)
Nussle	Schaefer, Dan	Waxman
Oberstar	Schaffer, Bob	Weldon (FL)
Obey	Schumer	Weller
Olver	Scott	Wexler
Ortiz	Sensenbrenner	Weygand
Owens	Sessions	White
Oxley	Shadegg	Whitfield
Packard	Shaw	Wicker
Pallone	Shays	Wise
Pappas	Sherman	Wolf
Parker	Shimkus	Woolsey
Pascarell	Shuster	Wynn
Pastor	Sisisky	Yates
	Skeen	Young (FL)

## ANSWERED "PRESENT"—1

DeFazio

## NOT VOTING—37

Barton	Harman	Riggs
Bateman	Hefner	Rothman
Becerra	Jones	Skaggs
Bryant	Kaptur	Stark
Christensen	Kolbe	Stearns
Davis (FL)	McDade	Stenholm
Dixon	Meeks (NY)	Talent
Engel	Myrick	Torres
Fattah	Norwood	Traficant
Fowler	Pombo	Weldon (PA)
Gonzalez	Quinn	Young (AK)
Goodling	Radanovich	
Greenwood	Reyes	

So the motion to adjourn was not agreed to.

## 45.7 QUESTION OF PRIVILEGES OF THE HOUSE

Mr. GEPHARDT rose to a question of the privileges of the House and submitted the following resolution (H. Res. 431):

Whereas the Supreme Court of the United States has noted that, although the power to conduct investigations is inherent in the legislative process, that power is not unlimited, may be exercised only in aid of the legislative function, and cannot be used to expose for the sake of exposure alone;

Whereas the Supreme Court of the United States has further noted that the investigative power of Congress contains "no general authority to expose the private affairs of in-

dividuals without justification in terms of the functions of Congress";

Whereas Representative Burton is the only member in the history of the House of Representatives who has had the power to unilaterally issue subpoenas and the power to disclose information obtained therefrom, and has abused these powers;

Whereas the Committee on Standards of Official Conduct has determined that it is improper to alter a House document if such alteration changes the meaning or extensively modifies the document;

Whereas the Speaker of the House of Representatives has correctly and steadfastly called for adherence to the Rule of Law and emphasized that no man is above the law;

Whereas those upon whom the House of Representatives has bestowed its Constitutional power to investigate must abide by the Rule of Law, and must exercise the investigative power fairly and judiciously and in a manner that will preserve the dignity of the House and reflect credit thereon.

Whereas the Rules of the House of Representatives provide that documents and other materials obtained pursuant to a Committee subpoena are records of the Committee that may not be publicly disclosed by a chairman without authorization by the Committee;

Whereas the Committee on Government Reform and Oversight has adopted procedures governing the public disclosure of documents and other materials obtained pursuant to a Committee subpoena;

Whereas pursuant to a Committee subpoena, Representative Burton obtained from the Department of Justice tape recordings of the telephone conversations engaged in by Webster Hubbell while in prison;

Whereas the Department of Justice advised Representative Burton of his responsibility to pay special regard to the sensitive nature of the tape recordings, which recordings the Department of Justice could not lawfully disclose to the public;

Whereas Representative Burton intentionally violated the Rules of the House of Representatives and the procedures of the Committee on Government Reform and Oversight and displayed an utter disregard for both the privacy rights of those involved and the ability of the Bureau of Prisons to perform its functions effectively by publicly disclosing the tape recordings and transcripts of telephone conversations between Webster Hubbell and his wife, other family members, friends, and attorneys;

Whereas the transcripts publicly disclosed by Representative Burton in violation of the Rules of the House of Representatives and the procedures of the Committee had been altered and selectively edited so as to mislead Members of the House of Representatives and the public, distort the public record; impair the ability of the House of Representatives to perform its legislative and oversight functions, and violate the integrity of Committee proceedings.

Whereas the materials publicly disclosed by Representative Burton in violation of the Rules of the House of Representative and the procedures of the Committee contained conversations between a husband and wife pertaining to family, personal, medical, and marital problems;

Whereas, through these actions, his failure to abide by the Rule of Law, and his consistent abuse of the investigative powers of the House of Representatives, Representative Burton has brought discredit upon the House of Representatives: Now, therefore, be it

*Resolved*, That the House of Representatives disapproves of the manner in which Representative Burton has conducted the Committee on Government Reform and Oversight's investigation of political fund-

raising improprieties and possible violations of law.

The SPEAKER pro tempore, Mr. NEY, ruled that the resolution submitted did present a question of the privileges of the House under rule IX.

Mr. ARMEY moved to lay the resolution on the table.

The question being put, viva voce,

Will the House lay the resolution on the table?

The SPEAKER pro tempore, Mr. NEY, announced that the yeas had it.

Mr. GEPHARDT demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 223  
affirmative ..... } Nays ..... 196

## 45.8

[Roll No. 153]

## AYES—223

Aderholt	Fox	McIntosh
Archer	Franks (NJ)	McKeon
Armey	Frelinghuysen	Metcalf
Bachus	Gallely	Mica
Baker	Ganske	Miller (FL)
Ballenger	Gekas	Moran (KS)
Barr	Gibbons	Morella
Barrett (NE)	Gilchrest	Myrick
Bartlett	Gillmor	Nethercutt
Barton	Gilman	Neumann
Bass	Goode	Ney
Bereuter	Goodlatte	Northup
Bilbray	Goodling	Norwood
Bilirakis	Goss	Nussle
Bliley	Graham	Oxley
Blunt	Granger	Packard
Boehlert	Greenwood	Pappas
Boehner	Gutknecht	Parker
Bonilla	Hall (TX)	Paul
Bono	Hansen	Paxon
Brady	Hastert	Pease
Bryant	Hastings (WA)	Peterson (PA)
Bunning	Hayworth	Petri
Burr	Hefley	Pickering
Burton	Herger	Pitts
Buyer	Hill	Porter
Callahan	Hilleary	Portman
Calvert	Hobson	Pryce (OH)
Camp	Hoekstra	Ramstad
Campbell	Horn	Redmond
Canady	Hostettler	Regula
Cannon	Houghton	Riley
Castle	Hulshof	Rogan
Chabot	Hunter	Rogers
Chambliss	Hutchinson	Rohrabacher
Chenoweth	Hyde	Ros-Lehtinen
Christensen	Inglis	Roukema
Coble	Istook	Royce
Coburn	Jenkins	Ryun
Collins	Johnson (CT)	Salmon
Combest	Johnson, Sam	Sanford
Cook	Jones	Saxton
Cooksey	Kasich	Scarborough
Cox	Kelly	Schaefer, Dan
Crane	Kim	Schaffer, Bob
Crapo	King (NY)	Sensenbrenner
Cubin	Kingston	Sessions
Cunningham	Klug	Shadegg
Davis (VA)	Knollenberg	Shaw
Deal	Kolbe	Shays
DeLay	LaHood	Shimkus
Diaz-Balart	Largent	Shuster
Dickey	Latham	Skeen
Doolittle	LaTourette	Smith (MI)
Dreier	Lazio	Smith (NJ)
Duncan	Leach	Smith (OR)
Dunn	Lewis (CA)	Smith (TX)
Ehlers	Lewis (KY)	Smith, Linda
Ehrlich	Linder	Snowbarger
Emerson	Livingston	Solomon
English	LoBiondo	Souder
Ensign	Lucas	Spence
Everett	Manzullo	Stearns
Ewing	McCollum	Stump
Fawell	McCrery	Sununu
Foley	McDade	Talent
Forbes	McHugh	Tauzin
Fossella	McInnis	Taylor (MS)

Taylor (NC)	Wamp	Whitfield
Thomas	Watkins	Wicker
Thornberry	Watts (OK)	Wolf
Thune	Weldon (FL)	Young (AK)
Tiahrt	Weldon (PA)	Young (FL)
Upton	Weller	
Walsh	White	

## NOES—196

Abercrombie	Green	Nadler
Ackerman	Gutierrez	Neal
Allen	Hall (OH)	Oberstar
Andrews	Hamilton	Obey
Baesler	Hastings (FL)	Olver
Baldacci	Hilliard	Ortiz
Barcia	Hinchey	Owens
Barrett (WI)	Hinojosa	Pallone
Becerra	Holden	Pascrell
Bentsen	Hooley	Pastor
Berman	Hoyer	Payne
Berry	Jackson (IL)	Pelosi
Bishop	Jackson-Lee	Peterson (MN)
Blagojevich	(TX)	Pickett
Blumenauer	Jefferson	Pomeroy
Bonior	Johnson (WI)	Poshard
Borski	Johnson, E. B.	Price (NC)
Boswell	Kanjorski	Rahall
Boucher	Kaptur	Rangel
Boyd	Kennedy (MA)	Reyes
Brown (CA)	Kennedy (RI)	Rivers
Brown (FL)	Kennelly	Rodriguez
Brown (OH)	Kildee	Roemer
Capps	Kilpatrick	Rothman
Cardin	Kind (WI)	Roybal-Allard
Carson	Klecza	Rush
Clay	Klink	Sabo
Clayton	Kucinich	Sanchez
Clement	LaFalce	Sanders
Clyburn	Lampson	Sandlin
Condit	Lantos	Sawyer
Conyers	Lee	Schumer
Costello	Levin	Scott
Coyne	Lewis (GA)	Serrano
Cramer	Lipinski	Sherman
Cummings	Lofgren	Sisisky
Danner	Lowe	Skelton
Davis (FL)	Luther	Slaughter
Davis (IL)	Maloney (CT)	Smith, Adam
DeFazio	Maloney (NY)	Snyder
DeGette	Manton	Spratt
Delahunt	Markey	Stabenow
DeLauro	Martinez	Stark
Deutsch	Mascara	Stenholm
Dicks	Matsui	Stokes
Dingell	McCarthy (MO)	Strickland
Dixon	McCarthy (NY)	Stupak
Doggett	McDermott	Tanner
Dooley	McGovern	Tauscher
Doyle	McHale	Thompson
Edwards	McIntyre	Thurman
Engel	McKinney	Tierney
Eshoo	McNulty	Towns
Etheridge	Meehan	Turner
Evans	Meek (FL)	Velazquez
Farr	Meeks (NY)	Vento
Fattah	Menendez	Visclosky
Fazio	Millender	Waters
Filner	McDonald	Watt (NC)
Ford	Miller (CA)	Waxman
Frank (MA)	Minge	Wexler
Frost	Mink	Weygand
Furse	Moakley	Wise
Gejdenson	Mollohan	Woolsey
Gephardt	Moran (VA)	Wynn
Gordon	Murtha	Yates

## NOT VOTING—13

Bateman	John	Skaggs
Fowler	Pombo	Torres
Gonzalez	Quinn	Traficant
Harman	Radanovich	
Hefner	Riggs	

So the motion to lay the resolution on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

## ¶45.9 PROVIDING FOR THE CONSIDERATION OF H.R. 2431

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 430):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pur-

suant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2431) to establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments recommended by the Committees on International Relations, the Judiciary, and Ways and Means now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 3806, modified by the amendments printed in part 1 of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. DIAZ-BALART, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

## ¶45.10 FREEDOM FROM RELIGIOUS PERSECUTION

The SPEAKER pro tempore, Mr. KINGSTON, pursuant to House Resolution 430 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2431) to establish an Office of Religious Persecution Monitoring, to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution, and for other purposes.

The SPEAKER pro tempore, Mr. KINGSTON, by unanimous consent,

designated Mr. LAHOOD, as Chairman of the Committee of the Whole; and after some time spent therein,

## ¶45.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. HASTINGS of Florida:

Page 15, line 4, insert the following after line 4:

(7) In consultation with the Secretary of State, make policy recommendations to the President that would make a priority of promoting and developing legal protections and cultural respect for religious freedom, including by—

(A) ensuring that funds made available for development assistance are used, among other things, to encourage and promote increased adherence to the right to free religious belief and practice;

(B) ensuring that United States international broadcasting is designed to promote respect for human rights, including freedom of religion, among other broadcasting goals; and

(C) ensuring that United States cultural and educational exchanges promote, among other goals, respect for and guarantees of religious freedom abroad, including through interchanges and visits between the United States and other countries of religious leaders, scholars, and religious and legal experts in the field of religious freedom.

(8) Assist the Secretary of State in establishing a program of granting awards to members of the Foreign Service who have provided distinguished, meritorious service in the promotion of internationally recognized human rights, including the right to religious freedom.

It was decided in the { Yeas ..... 415  
affirmative ..... Nays ..... 3

## ¶45.12 [Roll No. 154] AYES—415

Abercrombie	Brown (OH)	Deal
Ackerman	Bryant	DeFazio
Aderholt	Bunning	DeGette
Allen	Burr	Delahunt
Andrews	Burton	DeLauro
Archer	Buyer	DeLay
Armey	Callahan	Deutsch
Bachus	Calvert	Diaz-Balart
Baesler	Camp	Dickey
Baker	Campbell	Dicks
Baldacci	Canady	Dingell
Ballenger	Capps	Dixon
Barcia	Cardin	Doggett
Barr	Carson	Dooley
Barrett (NE)	Castle	Doolittle
Barrett (WI)	Chabot	Doyle
Bartlett	Chambliss	Dreier
Barton	Christensen	Duncan
Bass	Clay	Dunn
Becerra	Clayton	Edwards
Bentsen	Clement	Ehlers
Bereuter	Clyburn	Ehrlich
Berman	Coble	Emerson
Berry	Coburn	Engel
Bilbray	Collins	English
Bilirakis	Combest	Ensign
Bishop	Condit	Eshoo
Blagojevich	Conyers	Etheridge
Bliley	Cook	Evans
Blumenauer	Cooksey	Everett
Blunt	Costello	Ewing
Boehlert	Cox	Farr
Boehner	Coyne	Fattah
Bonilla	Cramer	Fawell
Bonior	Crane	Fazio
Bono	Crapo	Filner
Borski	Cubin	Foley
Boswell	Cummings	Forbes
Boucher	Cunningham	Ford
Boyd	Danner	Fossella
Brady	Davis (FL)	Fox
Brown (CA)	Davis (IL)	Frank (MA)
Brown (FL)	Davis (VA)	Franks (NJ)